

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO,
et al.,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**STIPULATION AND AGREED ORDER
REGARDING WITHDRAWAL OF LIFT STAY MOTION AND
ALLOWANCE OF CLAIM OF IRIS YOLANDA MIRO RAMIREZ**

The Commonwealth of Puerto Rico (the “Commonwealth”), by and through the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as the sole Title III representative of the Commonwealth pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),² on the one hand, and Iris Yolanda Miro Ramirez (“Claimant”), on the other hand, hereby enter into this stipulation (the “Stipulation”) as follows:

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”, and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the “Debtors”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² PROMESA is codified at 48 U.S.C. §§ 2101–2241.

RECITALS

A. On May 3, 2017, the Oversight Board issued a restructuring certification pursuant to Sections 104(j) and 206 of PROMESA and filed a voluntary petition for relief for the Commonwealth pursuant to PROMESA Section 304(a), commencing a case under Title III thereof (the “Commonwealth Title III Case”).

B. By operation of PROMESA and pursuant to PROMESA Section 315(b), the Oversight Board is the representative of the Commonwealth in the Commonwealth Title III Case.

C. The Court has subject matter jurisdiction over this matter pursuant to PROMESA Section 306(a), and venue is proper in this District pursuant to PROMESA Section 307(a).

D. On August 30, 2017, the Commonwealth filed its *Notice of Filing of Creditor List for the Commonwealth of Puerto Rico* [ECF No. 1215] (the “Creditor List”), scheduling a claim (Schedule No. 1181628) by Claimant relating to the case captioned *Miro Ramirez v. Commonwealth of Puerto Rico*, Case No. LAC2015-0042, in the Puerto Rico Court of First Instance (the “Prepetition Action”).

E. On March 15, 2022, Claimant filed her motion for relief from the automatic stay [ECF No. 20346] (the “Lift Stay Motion”) in order to allow Claimant to execute upon an April 12, 2016 judgment entered in the Prepetition Action relating to Claimant’s challenge to the Commonwealth’s seizure of Claimant’s vehicle pursuant to the Uniform Forfeiture Act of 2011, 34 L.P.R.A. § 1724 et seq.

NOW, THEREFORE, in consideration of the foregoing, the parties hereby agree as follows:

AGREEMENT

1. The Lift Stay Motion is hereby withdrawn, with prejudice.
2. Claimant's claim arising from the Prepetition Action and scheduled on the Commonwealth's Creditor List as Schedule No. 1181628 is hereby allowed in the amount of Four Thousand Five Hundred Dollars (\$4,500.00) (the "Claim to Be Allowed"), and shall be treated as a "Convenience Claim" pursuant to the *Modified Eighth Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico, et al.* [ECF No. 19784]. The Commonwealth's claims and noticing agent, Kroll Restructuring Administration, LLC, is authorized and directed to update the Commonwealth claims register maintained in the Commonwealth Title III Case to reflect the allowance of the Claim to Be Allowed.
3. The parties hereto represent and warrant that they are duly authorized to enter into and be bound by this Stipulation. Nothing herein shall impair any right, power, or obligation or be considered a waiver of any such right, power or obligation the parties hereto have with respect to any valid and existing agreements between the parties hereto, which agreements remain in full force and effect and are not modified hereby.
4. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Stipulation.
5. This Stipulation may be executed in multiple counterparts, any of which may be transmitted by facsimile or electronic mail, and each of which will be deemed an original, but all of which together will constitute one instrument.

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STIPULATED AND AGREED TO BY:

PROSKAUER ROSE LLP

/s/ Brian S. Rosen

Martin J. Bienenstock (pro hac vice)

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for the Debtors*

**IRIS YOLANDA MIRO RAMIREZ, PRO
SE**

/s/ Iris Y. Miró Ramírez

Claimant

SO ORDERED.

Dated: June 13, 2022

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN

United States District Judge